



Montana

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## Milk Substitution in the National School Lunch Program for Students with Non-Disabling Medical or Special Dietary Needs

(References: 73 FR 52903, September 2008, SP 07-2008 November 12, 2009)

Are schools required to substitute milk when the student's medical or special dietary need is not considered a disability?

- No. Schools may offer but are not required to offer a milk substitute.
- Schools are strongly encouraged to meet the dietary needs of these students by offering lactose free milk or a nondairy beverage that is nutritionally equivalent to cow's milk.
  - This encourages participation in your lunch program
  - Helps to ensure that the student's nutrition needs are being met

Is a Medical Statement from a licensed physician required?

- No. Schools may accept a written statement from a parent or guardian.
  - The statement must include the medical or special dietary need that excludes the student from consuming milk.
  - Allows schools to accommodate non-disabling allergies, cultural, religious, or ethical beliefs of the student.
  - Does NOT allow substitutions because the student does not like milk.

What is an acceptable non-dairy substitute if a school chooses to offer a substitution?

- Schools are required to offer a non-dairy substitute that is nutritionally equivalent to cow's milk:
  - Juice and water are not nutritionally equivalent to milk
  - Juice and water are NOT acceptable substitutions
- Lactose free milk should be the first choice for substitution

Under Offer versus Serve (OVS) a meal without milk can be reimbursable.

- Students who select a minimum of 3 out of 5 meal components can be counted as a reimbursable meal.
- If OVS is not available, a reimbursable meal must include a carton of milk or an acceptable milk substitute.

There is NO change in the case of students with a recognized disability:

- If the student with a disability cannot consume cow's milk the school must omit or substitute fluid milk as directed on the medical statement.
- The medical statement must be signed by a licensed physician and identifies the student's disability, food(s) to be omitted, and food(s) to be substituted.

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